

REMARKS

Entry of this Amendment in accordance with the provisions of 37 CFR §1.114, and allowance of this application, as amended is respectfully requested.

This Amendment is in response to the Final Office Action dated April 21, 2005. By the present Amendment, the claims have been amended for clarification, as will be discussed below. Also, claim 9 has been cancelled since its subject matter has been incorporated into its parent claim 1.

Briefly, the present invention is particularly directed to an improved display generating device which operates by spotlighting a region of an image relative to its surroundings to permit selection of an object within the spotlight region. More specifically, the present invention utilizes a spotlight which is slideably movable about an image (e.g., see page 3, lines 14 and 15) to permit selection of an object from among a plurality of objects included within the image. As discussed on pages 1-3 of the Specification, the use of the slideably movable trackable spotlight to permit selection of an object from multiple objects included within an image represents a significant improvement in terms of ease of use over prior techniques using remote control units for selection of objects.

Reconsideration and allowance of amended independent claims 1, 12, 13 and 14 and their respective dependent claims is respectfully requested. By the present Amendment, each of the independent claims has been amended to specifically define that the trackable spotlight is slideably movable about the image. In addition, each of these independent claims has been amended to incorporate the respective subject matter of their dependent claims 21-24 which defines that the image includes a plurality of objects with the trackable spotlight being slideably movable to permit

selection of one of the objects that falls within the spotlight image. As such, it is respectfully submitted that these amended independent claims 1, 12, 13 and 14 very clearly define over the cited reference to Strasnick (USP 5,555,354) relied on in rejecting claims 1-24 for reasons set forth below.

More specifically, although Strasnick does, indeed, teach the use of a spotlight region in the embodiment shown in Figs. 4A and 4B of that document, it is quite clear from a careful reading of Strasnick that he fails to teach or suggest the use of a slideably movable spotlight for purposes of selecting one object from a plurality of objects. Quite to the contrary, as noted in column 10, lines 61 et seq., Strasnick uses a conventional mouse cursor for moving about the image to select an object, and only after an object has been selected is the object highlighted by the spotlight. To put this another way, in the present invention, the spotlight itself is slideably moveable about the image for purposes of making the selection, whereas, in Strasnick, a conventional mouse cursor is slideably movable about the screen for making the selection. The spotlight in Strasnick is merely used for highlighting the selected region after the selection has already been made. Therefore, the entire approach and structure of Strasnick is quite different from that of the present claimed invention.

As noted above, the present amendments clarify the distinction over Strasnick by emphasizing that the trackable spotlight is "slideably movable" about the image. Clearly this feature is lacking from the Strasnick reference, and, as such, Strasnick clearly fails to anticipate the amended claims under 35 USC §102. In addition, each of the independent claims specifically defines that the slideably movable spotlight is moved around the image "to permit selection of one of the objects of the image that

falls within the spotlit region." Again, Strasnick fails to teach the use of such a slideably movable spotlight for the selection process. Instead, as noted above, Strasnick uses a conventional moveable cursor for the selection itself. Therefore, Strasnick also can not serve as an anticipatory reference under 35 USC §102 for meeting this amended claim language. For these reasons, reconsideration and removal of the 35 USC §102 rejection based on Strasnick against amended claims 1-24 is respectfully requested.

It is also noted that the amended claims are clearly not obvious over Strasnick either. Amended independent claims 1 and 12-14 clearly define the use of a trackable spotlight which is slideably movable about an image for selection of an object from among a plurality of objects. This is a completely different principle than Strasnick which relies on moving a mouse cursor for the selection followed by highlighting the image only after it has been selected. Absolutely noting in Strasnick suggests the complete modification of its structure which would be necessary to use a slideably movable spotlight to make the selection in the first place. As set forth in MPEP §2143.01,

"Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion or motivation to do so either explicitly or implicitly in the references themselves or in the knowledge generally to one of ordinary skill in the art. "

Clearly there is no "teaching, suggestion or motivation" within Strasnick itself for completely modifying the operation of Strasnick to arrive at the claimed invention. As for "knowledge generally available to one of ordinary skill in the art, MPEP §2144.03 clearly limits this to knowledge "where the facts asserted to be well known, or to be, knowledge in the art, are capable of instant and unquestionable demonstration as

being well-known." Clearly, the complete modification of Strasnick to use a slideably moveable spotlight to make the selection in the first place, rather than a conventional mouse cursor is not "capable of instant and unquestionable demonstration as being well-known." For these reasons, it is respectfully submitted that not only does Strasnick fail to anticipate the amended independent claims 1 and 12-14, and their respective dependent claims, but also fails to render these claims obvious. Therefore, reconsideration and allowance of claims 1-24 is respectfully requested.

In addition, reconsideration and allowance of newly presented dependent claims 25-28 is also respectfully requested. Each of these claims defines that the spotlight region is "graphically altered from its surroundings." This graphic altering is clear from the various graphic modifications which are described, for example, on page 3, lines 6 et seq., as techniques for spotlighting a region. As noted there, the spotlight region can be brighter than its surroundings or of a different color. Alternatively, a high contrast can be used for this spotlight region compared to a relatively low contrast for the surroundings, or the spotlight region can be in sharper focus. In any case, these dependent claims 25-28 define the combination of a slideably moveable spotlight region which is graphically altered from its surroundings. Neither Strasnick nor any of the other cited references teach such a combination of a slideably moveable spotlight region which is graphically altered from its surroundings. Therefore, consideration and allowance of these newly submitted dependent claims 25-28 is also respectfully requested.

If the Examiner believes that there are any other points which may be clarified or otherwise disposed of either by telephone discussion or by personal interview, the


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Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Antonelli, Terry, Stout & Kraus, LLP Deposit Account No. 01-2135 (Docket No. 1076.41016X00), and please credit any excess fees to such deposit account.

Respectfully submitted,
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